

REMARKS

Claims 1-3, 14, 16-19, 23-25 and 27-29 are now pending in this application. Claims 1-3, 14, 16-19, 23-25, 27 and 28 are rejected. Claims 4-13, 15, 20-22 and 26 are previously cancelled. Claims 1 and 17 are amended herein to clarify the invention and to address matters of form unrelated to substantive patentability issues. New claim 29 is added.

Applicants herein traverse and respectfully request reconsideration of the rejection of the claims cited in the above-referenced Office Action.

Claims 1, 2, 14, 16-18, 23 and 27 are rejected as obvious over German Reference DE 198 49 266 (DE '266) in view of Japanese Reference JP 4-97064 (JP '064) under 35 U.S.C. §103(a). The applicants herein respectfully traverse this rejection. For a rejection under 35 U.S.C. §103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

Independent claims 1 and 17 are amended to clarify that a grid support which is comprised of lower booms includes at least one lower boom having an insulating coating, and that the longitudinal rods are supported only by this at least one insulated lower boom, with remaining ones of the lower booms being spaced apart from the at least one insulated (and supporting) lower boom and the longitudinal rods supported thereby. This configuration is illustrated, for example, in Fig. 3C of the

present application. As explained in the specification (paragraph [0018] of the published application) such configuration allows the longitudinal rods to “then rest on the shallower lower boom without contact being formed between them, and in addition the longitudinal rods are also isolated from the same lower booms, which have a normal height.”

Contrary to the Examiner's assertion that all three of the transverse rods comprising the trellis reinforcing structures 4 in the DE '266 reference constitute "lower booms," applicants respectfully submit that “upper and lower booms” are terms of art having a specific accepted meaning. Specifically, upper and lower booms provided in a beam impart physical characteristics to the beam which provide resistance against bending. As such, the term "lower boom" does not simply mean that the boom is located lower than any other arbitrary structure, for example "lower than the sleeper blocks and lower than the rails," as averred by the Examiner, but rather refers to the interrelationship of one boom to another, i.e., that the lower boom is located in a position lower than the upper boom in order to provide rigidity to withstand bending.

The DE '266 reference depicts a conventional carriage braced girder, at which the lower booms all exhibit the same height level. Thus, all lower booms would contact and support the longitudinal rods, which is in stark contrast to the claimed recitation requiring "other ones of the lower booms being maintained in a spaced apart condition from said longitudinal rods."

Applicants respectfully submit that the secondary JP '064 reference fails to adequately supplement the deficiencies noted above with regard to DE '266, be being devoid of teaching or suggestion of "longitudinal rods resting only on said at least one lower boom having the insulating coating which is disposed in a position higher than other ones of the lower booms." Thus, the proffered combination of reference fails to disclose all claimed feature, as properly required to establish a *prima facie* case of obviousness.

Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited references for the reasons stated above. Reconsideration of the rejections of claims 1, 2, 14, 16-18, 23 and 27 and their allowance are respectfully requested.

Claims 3, 19, 24, 25 and 28 are rejected as obvious over German Reference DE 198 49 266 in view of Japanese Reference JP 4-97064, and further in view of Padrun (US 4,617,775) under 35 U.S.C. § 103(a). The applicants herein respectfully traverse this rejection.

Padrun, cited merely for its use of plastic clips 13, 14 to allegedly provide overlapping connection of reinforcing bars, fails to provide the teaching lacking in the combination of DE '22 and JP '064, as discussed above.

Thus, the combination of prior art references fails to teach or suggest all the claim limitations, as properly required for establishing a *prima facie* case of

obviousness. Therefore, reconsideration of the rejections of claims 3, 19, 24, 25 and 28 and their allowance are respectfully requested.

Claim 29 is added and is submitted as patentable over the cited art of record insofar as it recites subject matter directed to a reinforcement which comprises longitudinal rods and transverse rods disposed in a carriageway panel, the transverse rods including upper booms and lower booms, at least one of the lower booms having an insulating coating to maintain the at least one of the lower booms and the longitudinal rods and remaining ones of the transverse rods isolated from one another, wherein the longitudinal rods rest only on the at least one of the lower booms having the insulating coating, with other ones of the lower booms being in a spaced apart condition from the longitudinal rods which, among other features recited therein, is not believed disclosed in the cited art in the manner as claimed.

No fee is believed due. If there is any fee due the USPTO is hereby authorized to charge such fee to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form
for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
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